

1 Jury?

2 A Yes, sir. I would first go into the  
3 hearing room. If that -- the entrance door was closed,  
4 I would open it.

5 Q Let me get a chart so we can more  
6 specifically see what you're talking about.

7 A Okay.

8 Q I know you haven't seen this before, so  
9 it may take you a second to kind of get acclimated to  
10 it.

11 A This was my office. I would -- if this  
12 door was closed, this is a door into the judge's  
13 hearing chambers.

14 Q I'm sorry. I know not everybody can see  
15 it.

16 A I would open this door. I would come in  
17 here, shut the lights off, go through this door which  
18 led to his private office. If this door was closed, I  
19 would leave it open.

20 I would go to the private office, go to  
21 this door which leads outside to a hallway, I would  
22 check it to make sure it was locked. I would come back  
23 through this office and leave the door open.

24 Then I would come out here and I would  
25 normally, except sometimes on Tuesdays and Thursday

1        nights, it would depend, and I guess I'll have to  
2        explain that when you ask that question, occasionally I  
3        would leave this light on if it was a Tuesday or a  
4        Thursday. If not, I would shut this light off. This  
5        door was never -- was never closed.

6                    I would go over here, check the lock on  
7        this door. Come back in here, go out and lock this  
8        door. Turn the lights off and lock this door here.

9                    Q        Is it fair for me to characterize that  
10       you made sure all interior doors were open?

11                   A        Yes.

12                   Q        And that you made sure all exterior doors  
13       were locked and closed?

14                   A        Yes, except this one. And for some  
15       reason I didn't even realize we had a door there  
16       because that door was never used.

17                   Q        It was never used.

18                   A        So I never ever checked that door.

19                   Q        I think the point that I just want to  
20       emphasize is that just outside the private office of  
21       Judge Holder over here is a hallway; is that right?

22                   A        Yes, sir, that's correct.

23                   Q        Judge Ficarrotta's office just beyond or  
24       just back there?

25                   A        Yes, sir.

1 Q You, on the evening in question, checked  
2 that door to make sure it was locked and closed?

3 A Yes, sir.

4 Q And it was, in fact, locked and closed?

5 A Yes, sir.

6 Q Would you characterize -- well, how would  
7 you describe the judge's private office that evening?  
8 Was to your knowledge the chair in place?

9 A I'll be perfectly honest with you, I  
10 really didn't give it any thought or I really didn't  
11 look at it.

12 Q Okay. All right. If after normal  
13 working hours -- this is an opinion question.

14 A Okay.

15 Q -- I came down this hallway and one way  
16 or another I opened or got that door open --

17 A Yes, sir.

18 Q -- and yelled, "Greg?" or, "Judge  
19 Holder?" --

20 A Yes, sir.

21 Q -- and, you know, something above a  
22 conversational tone but not loud, would you be able to  
23 hear that throughout these areas?

24 A I would think so. I would think that you  
25 could.

1 Q No radio on, no TV, no nothing like that?

2 A Right. I would think so, yes, sir.

3 Q All right. You were going to talk about  
4 Tuesdays and Thursdays and a light.

5 A Yes, sir.

6 Q Will you do that, please?

7 A Yes, sir.

8 Q I'm going to put this down unless you  
9 need it.

10 A All right. Tuesdays and Thursday nights  
11 Judge Holder's bailiff, Sylvia Gay, worked Teen Court,  
12 I believe it was, across the street at the annex.

13 And she would normally stay -- when I  
14 would leave at 4:30, normally Tuesdays and Thursdays  
15 she would be sitting in the coffee room, and she would  
16 stay until it was time for her to go across the street  
17 to Teen Court.

18 So, therefore, if she was in there or if  
19 I knew she was across the street at Teen Court and was  
20 coming back, I would leave the coffee room light on for  
21 her.

22 That Thursday I had not seen Sylvia all  
23 day long because Judge Holder was out of town, so I was  
24 not sure whether she was working Teen Court that night,  
25 whether she would be back, whether she was still in the

1 courthouse, so I shut the light down and left at 4:30.

2 Q You have specific recollection that there  
3 were no lights on on the interior when you left at  
4 4:30?

5 A Yes. Yes, sir.

6 Q Do you have any personal knowledge of  
7 when the cleaning crew comes around?

8 A No, sir.

9 Q Other than Sylvia Gay, whom you didn't  
10 know would be coming back in that night --

11 A No.

12 Q -- would you have anticipated that anyone  
13 besides the cleaning crew might come into those  
14 chambers?

15 A No.

16 Q Do you recall the purpose of Judge  
17 Bonanno's visit on those one or two previous occasions?

18 A No.

19 Q Were you aware that Judge Bonanno had  
20 expressed an interest in being the Chief Judge, the  
21 position that your cousin now occupies, should your  
22 cousin have become State Attorney?

23 A No. No. I didn't know that he had any  
24 interest in it.

25 Q Have you heard it since that time?

1 A No.

2 Q That's the first you've heard it is right  
3 now?

4 A Yes, sir.

5 Q Okay. Did you get to know Sylvia Gay  
6 reasonably well?

7 A During the course of our work, yes.

8 Q How would you characterize her for the  
9 Grand Jury? Was she a pretty hard worker?

10 A Very hard.

11 Q Loyal to the judge?

12 A Very loyal.

13 Q Good credibility; have you ever known her  
14 to mislead or deceive anyone?

15 A No.

16 Q Just straightforward?

17 A Straightforward. Bailiff of the Year.

18 Q Was she, in fact, Bailiff --

19 A Yes.

20 Q When was that? I didn't realize that.

21 A This year.

22 Q Okay.

23 GRAND JUROR: What did you say?

24 THE WITNESS: She was Bailiff of the Year  
25 this year.

1 GRAND JUROR: For 2000 or 1999?

2 THE WITNESS: I believe it -- well, 1999,  
3 I believe it was.

4 BY MR. HILL (resuming):

5 Q How was that honor bestowed, by other  
6 bailiffs, by the judges?

7 A Not by the judges. I believe by the  
8 Sheriff's Department, if I'm not mistaken. She is a  
9 deputy --

10 Q Right.

11 A -- with the Sheriff's Department.

12 Q Are you familiar with the picture of  
13 Judge Holder where he's marching in line?

14 A No, sir.

15 Q Okay. Are you familiar with the picture  
16 that hangs on the wall if you were, you know, you  
17 talked about checking doors, behind his private office  
18 going out into that hallway?

19 A Never.

20 Q Okay.

21 A Never noticed.

22 Q Never paid any attention?

23 A No, sir.

24 Q Did you notice anything unusual the next  
25 morning when you arrived at work?

1 A No.

2 Q Nothing out of order, nothing unique?

3 A No, sir.

4 Q The Grand Jurors may have some questions  
5 of you.

6 A Yes, sir.

7 Q But before that, is there anything on  
8 your mind that I didn't cover that you think the Grand  
9 Jury ought to know about?

10 A Other than the file that you and I  
11 discussed the last time.

12 Q Tell them about that, please.

13 A We have a judge by the name of Rex Barbas  
14 whose brother, I believe, had a paternity suit against  
15 him. And the file had been moving from judge to judge.  
16 Other judges would recuse themselves, meaning they remove  
17 themselves from the case, because they knew Judge  
18 Barbas or they knew his brother, Randy Barbas.

19 Q Will you forgive me for interrupting?

20 A Yes.

21 Q Will you inform the Grand Jury, if I  
22 recuse myself from a case, am I to have any further  
23 contact with that case?

24 A No, sir.

25 Q That's it. It's over with?



1           A           Yes, sir.

2           Q           Go ahead.

3           A           It had fallen in Judge Holder's division.  
4           And he had heard several motions and decided that it  
5           was best that he remove himself from the case also. So  
6           he prepared the Order, sent it out.

7                       The file normally goes down to the  
8           Clerk's office for reassignment. And since it had been  
9           around to so many different judges, somehow it ended up  
10          in Judge Bonanno's office because of the fact that at  
11          the time he was Acting Chief Judge because Judge  
12          Alvarez was out. He had had knee surgery and he was  
13          out, and Judge Bonanno was Acting Chief Judge at the  
14          time.

15                      So apparently Judge Bonanno had called  
16          Judge Holder to ask him to please rule on three  
17          outstanding motions since he had heard them. And the  
18          file had ended up back in Judge Holder's division.

19                      And I had come in one morning and I had  
20          seen the file. He said to me, "Look what I have back."  
21          And I said, "Why are you going to rule on this when you  
22          recused yourself from this?" And he said, "Judge  
23          Bonanno asked me to do it, and Judge Bonanno has always  
24          been very nice, respectful, and I want to do this for  
25          him."

1 Q How could he do that if he recused  
2 himself?

3 A I can't answer that question. I don't  
4 know.

5 Q Have you ever seen it done before?

6 A I can't say that I have.

7 Q Let me ask you this --

8 A But I don't really know that much about  
9 the law to tell you yes or no on that.

10 Q Did the judge enter a ruling on that  
11 case?

12 A I believe he did. I believe he did.

13 Q Okay. We'll ask him about that.

14 A I don't know what the ruling was or when  
15 it was done, but I believe he did.

16 Q Okay. Anything else like that that's in  
17 the back of your mind that you think maybe they need to  
18 know about?

19 A I don't think so.

20 Q You know, I asked you about your  
21 experience with Bailiff Gay, --

22 A Yes.

23 Q -- her credibility. Same questions about  
24 Judge Bonanno: Did you know him well enough to give an  
25 opinion about his credibility?

1           A           I know Judge Bonanno. I've known Judge  
2 Bonanno for many years. I have never worked for Judge  
3 Bonanno. When I came on four-and-a-half years ago, I  
4 think this was 1994, Judge Bonanno did not want me  
5 working for him due to the fact of the relationship  
6 that he and Judge Alvarez had. And that there have  
7 been some occasions where we have been at a party  
8 together, a birthday party for the family together, and  
9 he told his judicial assistant, Charlotte, that he did  
10 not want me working for him because he didn't feel it  
11 was appropriate.

12           Q           Do you have any personal knowledge or  
13 have you heard of problems that Judge Bonanno might  
14 have encountered in the past? And I honestly am  
15 fishing here. I'm --

16           A           With anyone in particular?

17           Q           Well, yeah. Maybe -- was there -- was  
18 there some discussion, for lack of a better term, of  
19 him being involved with a prostitute and/or using a  
20 credit card in that conjunction?

21           A           I know nothing about that.

22           Q           You've never heard of that?

23           A           No, sir.

24           Q           Certainly if it would have been in the  
25 paper you would have read it, I'm sure, or there would

1 have been some serious --

2 A I would think. I would think. Although,  
3 if it was years ago, I really wasn't into politics or  
4 newspapers at a young age.

5 MR. HILL: Okay. Questions from the  
6 Grand Jury?

7 EXAMINATION

8 BY GRAND JUROR:

9 Q I just wanted to go over a couple things  
10 that you've already said. If you could hold up the,  
11 just so she knows what I'm talking about. The door to  
12 the judge's private office --

13 A Yes.

14 Q -- you're absolutely no shadow of a doubt  
15 certain that that door was locked when you left on July  
16 27th.

17 A Yes, absolutely.

18 Q Absolutely?

19 A Absolutely.

20 Q Okay.

21 A I do want to mention one thing, and I  
22 think I have told this to Mr. Hill. There were two  
23 times during the five-month period that I was working  
24 in that office that in the morning we had come in and  
25 Judge Holder had made a comment to Sylvia and I, "Look,

1     that door is unlocked again."

2                   I don't know what time the cleaning  
3     people get there, but, you know, they do get there  
4     after we leave in the evening. And since I always  
5     checked that door before I left to make sure it was  
6     locked, a comment like that made me assume that  
7     possibly the cleaning people had come in and, you know,  
8     left it unlocked.

9           Q        Sure. But that night you know when you  
10   left it was definitely locked?

11          A        Yes, sir, when I left at 4:30 it was  
12   locked.

13          Q        Over here, Mrs. Gomez. Within the office  
14   and this record keeping system, exclusive of the  
15   computer, is there a division in the filing where some  
16   filing cabinets are locked and the keys to it are  
17   limited?

18          A        We have -- we keep no files upstairs,  
19   only the files that we have on a daily basis. All the  
20   files are taken down to the Clerk's office. So there  
21   are no file cab -- well, there are -- as far as I can  
22   remember, there were no -- there were no file cabinets  
23   in Judge Holder's private office. He had a credenza.

24                   In the hearing room there was a table  
25   with drawers. I don't recall if there was a lock on

1 that, though. There may have been.

2 Q Okay. Would you, or the judge, or anyone  
3 on his staff have a desk or an area that they would  
4 just personally lock on their own as they're leaving?

5 A Judge Holder may have. I didn't.

6 Q So apparently he didn't either or you  
7 would have knowledge of it, because I'm sure you want  
8 to get into his desk for something?

9 A I never went through his desk.

10 Q Really? Ever?

11 A No, I never go through a judge's desk.

12 Q That's a professional no-no?

13 A Well, for me it's a professional no-no.

14 GRAND JUROR: Okay. All right. Thank  
15 you.

16 BY GRAND JUROR:

17 Q One question. To lock the exterior doors  
18 in that suite, does it require a key?

19 A The front door requires a key. The front  
20 door requires a key. When you walk out you have to  
21 lock it with a key. The side doors, they have the  
22 little --

23 Q Deadbolt.

24 A -- from the inside. But then to get in,  
25 you have to use a key to get in.

1 GRAND JUROR: Yes. Thank you.

2 BY GRAND JUROR:

3 Q You mentioned that there were one or two  
4 occasions where Judge Bonanno would visit Judge Holder.  
5 Does he usually, when he visits him, does he use the  
6 door through his office, or he come in through the  
7 secretary, through you?

8 A Normally they come in through the  
9 secretary's office. Occasionally some of the judges,  
10 you know, will come in through the side doors. It just  
11 varies.

12 Q But when you say side doors, is that the  
13 door leading to his office, his private office or --

14 A Right, either that door or the door  
15 coming from the break room. Sometimes they would come  
16 in through here, some of them, during the day, or  
17 sometimes they would come in through there.

18 Q Through his private office?

19 A Yes, uh-huh.

20 Q And how often would you say that  
21 happened?

22 A Well, --

23 Q When Bonanno would visit?

24 A Well, Judge Bonanno came probably within  
25 the five months maybe two times.